payment of the bride price with the bosongo as he was committed to do through the payment of the ikulé and the ndanga. If he does not, the bond between him and his father-in-law is automatically broken, and consequently he is unable to obtain another wife to replace the deceased, and he loses the rights over one of his own daughters. Actually, we will have to come back to this question in Chapter IX, Article IX, 2.

These rules show how great a difference exists between the walo and the bosongo: in the one case, upon the death of the woman prior to the payment, an indemnity is imposed for a transgression in the eyes of the law; in the other, there is a transaction to stabilize the financial rights of the clans involved.

From all the above considerations we may conclude that because of the special nature of the payment, the bosongo is very important for the stability of the marriage and the social position of the woman's clan. But from a legal point of view it is far less important than the walo, through which a woman becomes truly [164] a wife; for the payment creates no new social relationship either between the spouses or between the husband and his in-laws.

Article X. Purpose of the Bride Price

Theoretically, the bride price is meant to procure a wife for one of the members of the family that has received it.

The woman who is married thanks to the bride price paid for another is called the latter's nkita. It seems to me that this word is etymologically related to nkitó, "profit, benefit" (the verb is -kitola). In the final analysis, both words may be derived from the root -kit, "to become."

A synonym of nkita is bongíli (bongíji): it is used primarily by the Inkóló but it is also known, though seldom employed, by the other tribes.

The woman whose bride price has served to procure the nkita is the latter's nkóló (literally, "mistress"). The Inkóló as well as the Bokóngó also call her by the more tactful name, nyangongíli, "mother

585 of the bongíi." (1)
609
[595]

1. This term also designates the wife of a polygamist who has brought along one of her relatives as co-wife; she is the nyangôngili [sic] of the latter. (See Chapter VII, Article IV.)

For "to obtain a nkita" the Nkundó say -umba nkita, literally, "to fell a nkita," as one fells a tree or an adversary. Or they may say -bĭta nkita, "to possess a nkita" (umba or bĭta so-and-so, la nkita). "To become a nkita" would be rendered as -kwĕ nkita, "to fall into being a nkita."

585 X 59% The hierarchy of those entitled to the bride price is based on the general hierarchy of family members, which gives precedence to the older generations and, within each generation, to the older members. Consequently, as long as a member of the family having the title of isĕ (father) is unmarried (unless he is physically or mentally incompetent), no bŏna (son) is entitled to a bride price, even if it is that of his own sister. Within the same generation, the older members have precedence over the [165] younger ones, but boys have priority rights to the bride price of their uterine sisters. (1)

1. For limitations and exceptions to this right, see Chapter IV, Article II.

It occurs quite often, and was even more frequent in the past, that the person entitled to the bride price is still too young to get married, either in reality or in the opinion of his "fathers." (2) The

2. See ibid.

bride price is consequently used for the benefit of another member of the family. The creditor reaps the benefits later in the form of inheritance.

[602] Even if the woman or women meant for him should die or be taken in slavery, he can obtain the bride price of a cousin o which

no one has direct rights (for instance, if she is an only child) or that of his mother's nkita's daughter, as we will see below.

In these instances there is a temporary suspension of rights or rather a change in the individual entitled to them. These adjustments are made very frequently and can affect several people. Bride prices may even fall to fairly distant relatives, even in the maternal line. The transactions are performed by the patriarchs for the greatest good of the family as a whole. New rights benefiting the person originally entitled to the bride price are being created, and the woman married by its means has become the equivalent of a nkita in relation to him -- as is the following instance:

Bakutu b'Ôfôngé (Boniface) of Bombénga w'Ôsenda (Besombé, Bombwanja) has a sister Wéni, whose bride price serves to provide his paternal uncle, Elongama dy'Inuta, with a wife, Ikêkê of Ndongé-Bongîli. Bakutu's rights over his niece, Bakutu, daughter of Bolélo, are transferred to Boféndo d'Ekékola, son of his paternal great-aunt Eséka and therefore, in Nkundó terminology, to his father. As a result he obtains the rights over the bride price of Wîngi, the daughter of his uncle [166] and Ikêkê. At the same time he acquires a certain authority over Boféndo, the beneficiary of the bride price that was originally intended for him, and over the latter's children.

When the bride price is meant to procure a nkita, there is nothing to prevent the remainder, should there be any, from being used to pay a debt, a fine, etc., or, more especially, from being given to a relative so that he can procure a wife for himself.

If, in an exceptional case, the bride price is not used for its original purpose, this deviation constitutes an infraction of the law, because it is a violation of the rights of the girl for whom the bride price was paid, for she is thus deprived of her nkita and consequently of certain advantages. It may happen, however, that there is a conflict between this law and some other. In such cases of circumstances beyond one's control, it is up to the legal authorities to determine which of the two has priority.

Such was the case of Bolêli, daughter of Ilolf y'Ongtimé, of the Bafêkê Longwâne of Bonjoku (Bonkoso). She was married to Bombélenga

of Likolf. The bride price went to her uncle Botôlô, because her father had been taken prisoner of war by the Bongale. The family council decided to free Ifoli before contemplating the acquisition of a wife. Botôlô therefore paid his brother's ransom. Naturally, Bolôi was greatly annoyed to have to submit to this decision but, taking everything into consideration, she too thought that the liberation of her father had priority over her right to a nkita, of whom she was now deprived. For although the Bongale were able to obtain a wife thanks to the ransom, the wife was not Bolôi's nkita, since each family takes only its own members into consideration.

As we have already implied, the nkôlô derives certain advantages from "possessing" a nkita. Her superior position, from the Nkundô point of view, entitles her to respect and to some assistance. An even greater advantage is her right to the dowry. As we have [167] seen, a husband keeps a small part of the dowry for household necessities; the greater part of it goes to the nkôlô. Finally, the son of the nkôlô has the right to his say in his mother's clan, because it has been enriched by means of valuables paid by his father's clan. He also has the right to cultivate land belonging to his mother's clan and to settle on it. Furthermore, when a member of his mother's clan is enabled to obtain a wife by means of these valuables, he has certain rights over the children of his mother's nkita, and even over the nkita herself. (1)

1. See above, Article IV, 3, and Chapter III, Article II.

In relation to the children of his mother's nkita -- whom he calls his bokwé (2) or his mother's bonkita (bonkita bôkôtî bôkî ngôya) --

2. Singular bokwé. The term is derived from the verb -kwé or -kwê, "to fall" (see above).

the nkôlô's son has the following rights:

1) The right to respect and assistance.

2) The right to sit on the family council which decides on the division of the inheritance (so that the deceased's own son cannot have

a share of his father's goods without the consent of his nkɔ́kɔ́ or the use of the bride prices received for the daughters.

3) If he cannot obtain a wife through his own clan, he is entitled to the bride price of one of his bokwɛ́ if it is not first needed by one of her own uncles or brothers. The rights of the latter have priority over that of the nkɔ́kɔ́, unless he settles in his mother's clan. For in that case his rights have precedence over those of the brothers (though never those of an uncle), and he is next in line, after his uncles, to become head of the family. Since he is sister's son, the uncle's children call him "father" just as they call his mother, their paternal aunt, by the name of isɛmɔtɔ ("female father"). He himself calls his first cousins bɔ́na, "children," and thus has precedence over them. [168]

Thus the rights to authority over the daughters of the nkɛ́ta on the part of the nkɔ́kɔ́'s son are limited by the rights of the uncles and, to a certain degree, of the brothers. (1) But in the inheritance

[104]

1. In his study "Het Familiehoofd bij de Nkundo-Negers" [The Family Head among the Nkundó Negroes], Congo, 1930, Vol. 2, p. 331, Father Brepoels somewhat exaggerates the rights of the nkɔ́kɔ́'s son.

of widows the rights of the nkɔ́kɔ́'s son operate fully, and he may claim the one acquired by means of his bokwɛ́'s bride price, who in a way is his nkɛ́ta (when she is assigned to him they say bálí ɓɛ́ nkɛ́ta, "here is your nkɛ́ta").

These rules can result in multiple transactions and in a repeated transferring of rights from one of the two clans to the other as well as within the same clan.

The nkɔ́kɔ́'s grandsons call the nkɛ́ta's grandsons nkwɛ́ y'ɛ́ɛmbɛ́, "the excrements of valuables" (an expression which is not at all disrespectful or shocking) because the rights derived from the relationship of nkɔ́kɔ́ and nkɛ́ta are almost without force. In favorable circumstances they are limited to a little respect and assistance. And if the nkɔ́kɔ́'s grandsons have no other kinship tie with the paternal clan of their second cousins, they cannot even call them by that name.

583[A] 602 607 Thus the person who is herself the object of a bride price is the *okita*. The first generation born of the *okitâ* calls her *bonkita*. In the third generation the term *okwâ y'ômbâ* is applied to the relationship.

For example:

mother	Lokôngô	*okita* of Bokombe
	|	|
son	Imana	*bonkita* of Ifangi
mother	Lokôngô	*okita* of Bokombe
	|	
son	Imana	
	|	. . . . *bonkita* of Ifangi
grandson . .	Lotha	
mother	Lokôngô	*okita* of Bokombe
	|	|
son	Imana	*bonkita* of Ifangi
	|	|
grandson . . .	Lotha	*okwâ y'ômbâ* of Lifofa

[607] [169] The bonds between the *okitâ*'s grandsons and the *okita*'s grandsons are loosened because respect and authority between grandparents and grandsons are more or less nominal; in practice they no longer exist. (1)

1. See Chapter VI, Article VI.

If the *okitâ* leaves no descendants, the *okita*'s sons are freed from any obligation. Just as the Nkundô like to be able to call someone their *okita* or their *bokwâ* so, too, they take pride in not belonging to a *okitâ*.

583[A] 607 Men who bear the title of *okitâ* may, under given circumstances, have duties towards their *bonkita*, especially the obligation of taking active part in getting together the amount of a bride price. If the *okitâ* has provided his *bonkita* with a wife, the latter must treat him like his father (giving him assistance, the father's portion of the meat of a game animal, etc.).

583 A 607 The mutuality of the rights of nkɔ̂lɔ́ and nkita is well expressed in the saying, *ómbɛté tɔ́ɔtɛ́ wɛ́*, "possess me so that I may possess you." It is like *do ut des*.

583 A 607 182 [611] It is possible to judge from the preceding descriptions that the bride price has a considerable influence on family relations. Although the Nkundó system is clearly and manifestly patriarchal, the custom of the bride price and its logical consequences give it certain features which make one think of a matriarchy. This situation comes about quite naturally. Since the bride price is wealth it represents power in society. Through marriage this power is transferred from the husband's clan to the wife's, which is enriched in goods and persons by the bride price that has been received. In a sense, the husband is the provider of his wife's clan. And the child can truthfully maintain that his clan was enriched thanks to his father. As a matter of fact, for the Nkundó, this consideration above all others is the basis for their demands of whatever rights they possess in the mother's clan. [170] The relationship between a woman and her nkita and between their respective children is founded solely on the bride-price system of marriage and has nothing to do with matriarchy. (1)

1. But the above considerations may furnish one source of explanation for the origin of that family system.

Consequently, it is unnecessary to erect complicated theories or engage in tortuous speculations in order to explain the creation of this system or to justify it. It is quite simply the outcome of the payment of a bride price in valuables that are of no use except in connection with a similar purpose.

Nevertheless, although the system of the nkita is a natural and logical consequence of marriage by means of a bride price, it is not a necessary consequence. The bride price exists in all the tribes of the Congo, but it does not seem to have resulted everywhere 583 A in the institution of the nkita.

174 114 607 What has given rise to this institution among the Nkundó? Father Brepoels (loc. cit., p. 339) gives the following explanation:

174 583 184 607 "The sale (sic) of the woman and her loss of liberty must naturally have aroused her indignation. The man probably had a great deal of difficulty in persuading her to resign herself to it. It was necessary to arrange for some compensation and that is how the system of the nkita originated. That is how the woman acquired rights over her nkita and how nonexistent prerogatives were attributed to her children: they became the superiors, the "fathers" of the mothers' family . . . . The elders, the wealthy, profited from this system, which released them from any concern for their daughters: the girls could be sold while they were still very young and then if, later, they complained of the injustice that had been done them, the elders consoled them by reminding them of their rights and those of their sons over the nkita and her offspring . . . moreover, this system released the elders from their duty of obtaining wives for their sons and removed any reason for the latter to claim their father's wives."

This explanation for the origin of the nkita system is unthinkable, for it is entirely contrary to everything [171] we know about the nature of Nkundó marriage. But it seems plausible that the fact that the old father benefited from this institution helped it to flower and spread. Native greed also may have played a role.

583 174 607 Nevertheless, we must seek beyond the operation of causes which have contributed to the spread and retention of the system in Nkundó society for those that led to its origin.

Need we invent complicated hypotheses for this purpose? It seems to me that we need not; we can be satisfied with the native explanation: the nkótó's rights over the nkita spring naturally from her dominance over the latter, for the nkita's marriage was made possible by the valuables paid for the nkótó; whereas the rights of the nkótó's sons over the nkita's children are derived from the fact that in the Nkundó hierarchy the relationship of the latter to the former is that of "son" to "father."

The secondary causes mentioned above, together with the necessity of reconciling the interests of the various members of the family, subsequently amplified the system.

583 607 Exceptionally it may happen that a mother becomes her daughter's nkita. Such was the historic case of Bekombe of Belondó (Bonjolu) and her daughter, Mbótó. The daughter's bride price was

585 used by her father, Nkamba ɛy'ɔnsole of Bolɛ́tola (Bonjoku), to pay a
●607 supplement for his wife Bɛkombe. On this account the latter became her daughter's nkita. The double bride price served to obtain the wife Lintamba for Ilofi y'onguma, Bɛkombe's brother and Mbɛlɛ́'s uncle, and Lintamba thus belonged to both mother and daughter, but the two did not fight about the matter.

One person can have two or more nkita, especially if her bride price is so large that it can be used to obtain several wives. Such is the case of Mputé (Sofia) of the Basɛ́kɛ́ Mbangé of Bonganda (Bonkoso). Her first husband, Mpɛ́nda of Lɔfɔlɛ́, paid 40 rings and a slave. With this sum Mputé's uncle, [172] Mbangé ɛy'akoso (who had settled with the Elɛ́ngɛ́ I'Imɔmɔ, his mother's clan), paid the bride price for Bonjɛ́lɛ́ of Nkɛ́lengo. (1) In the meantime, Mpɛ́nda was

[782]
[727]

1. During a war against the Nkɛ́lengo, this woman had been captured by the Elɛ́ngɛ́, who wanted to sacrifice her to the ikɔngɛ́ at a feast which terminated the mourning. But Mbangé begged the notables to spare her life because he loved her very much and wanted to marry her.

killed in a fight with his brother, Iloko. Mputé married Elɛ́ngɔla, Mpɛ́nda's nephew, but then he died after two or three years of marriage. She was then married to Lɔkɔnga of Lɔ́ngɛ́ (Nkɛ́lɛ́), whose life was not much longer, and finally to Bokutu (Boniface) of Bombɛ́nga w'Ekenda (Bɛ́ɛ́mbɛ́, Bombwanja), who paid a considerable bride price. A part of this bride price was a compensation to the family of the last husband, and another portion was used by Mbangé to acquire as wife, Bangɛ́lɛ́ of Ekɛ́kɔla. By means of the bride price paid by Lɔkɔnga, Mbangé (Joseph), a first cousin of Mputé, obtained the wife Bolɛ́jɛ́ (who came from the Ionda). Lastly, Bokutu gave Bonjɛ́kyɛ́ (Christophe) of Lɔsɛ́lingɔ, a distant cousin of Mputé, the necessary bride price to marry Embongɛ́mbombe of Lɔ́ngɛ́, who on this account also became the nkita of Mputé, though not in the strict sense of the term. Mputé thus has four nkita, although not all of them are living.

On the other hand, as we have seen, two women may have one ekita in common, especially if their combined bride prices have been used to obtain a single wife. In such a case the two bankɔ́lɔ́ and their descendants share their duties and prerogatives. In practice this situation arises only if the two bankɔ́lɔ́ are uterine sisters, but seldom in the case of other relatives. It does occur occasionally, however, as for instance in the case of Bolɔ́fo w'ímeka and Bolɔ́mbɔ́ w'ikɔfo. Both were daughters of Bakutu b'ís'éy'olɔ́njɔ́ of Bokenda (Bɛ́ɛ́ombo), but they had different mothers (Mbɔ́lɔ́ and w'Ílɔngi, respectively). Their joint bride prices were used for the marriage of Bolɔ́fo wɔ́ Ekɔ́kɔ́kɔ́ Bonkɔ́fo w'ótɛ́ (son of Bakutu and w'Ílɔngi) to Bokungɔ́ of Engɔ́njɔ́ (Bonkoso). [173]

Article XI
General Remarks on the Payment of the Bride Price

A few general comments should be added to all the foregoing ideas and rules concerning bride price.

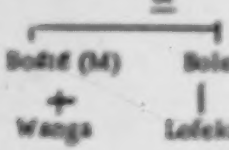
1) During a woman's pregnancy no payment of any kind may be made. This principle is stated by the Nkundɔ́, and they strictly adhere to it. Pregnancy, however, must be understood as a pregnancy which is clearly visible to everyone, that is, the period of bolɔ́ka, and not that of the beginning, bɔfɔ́ŋwa, (1) during which payments may still be made.

1. See Chapter X, Article II, 3 and 4.

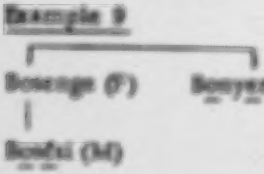
If one inquires into the reason for this prohibition, one receives the reply that if payments were made during the bolɔ́ka the woman would have great difficulties in delivery and would stand very little chance of escaping death. (Pregnancy is considered a dangerous condition. Of a pregnant woman, the Nkundɔ́ say: ekɔ́kɔ́ ís ílɔ́fa, "she is blocked by the sun," or "the sun stands across her path," that is, she is between life and death.) That is the only explanation given for the prohibition. Is it perhaps connected in some way with the belief in the elímú? (See Chapter X, Article II, 1).

582 604 Example 8 (continued)

or



Example 9

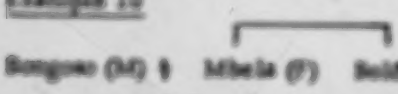


Bondzi may marry Edmé.

The same rules apply equally to great-uncles and great-aunts, and to cousins who are not equals (related as "father" and "son"; see the table of kinship relations and terminology in the appendix).

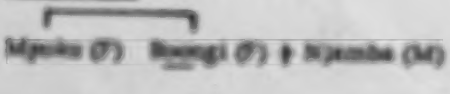
582 607 C. Equals in the collateral line: The degree of relationship is of no importance, for example, marriage with an older sister (or cousin) of the spouse is forbidden; marriage with a younger sister is permitted. The same rule applies to women, but after the husband's death an exception is sometimes made in the older brother's favor in order to facilitate inheritance arrangements. Only the Bokingé -- like the Elikngé of Losengaeya -- make no distinction between older and younger siblings and always permit the marriage. They are even beginning to be imitated by the Isiyélé.

Example 10



Bongowo may marry Bolifio.

Example 11



Njamba may not marry Mpoko.

Example 12

Bakɛ́kɛ́ (F) ∔ Wanja (M) Wai (M)

Wai may always marry Bakɛ́kɛ́ [256].

Example 13

Lɔ̱mpolé (M) Mbangó (M) ∔ Njoli (F)

Lɔ̱mpolɛ̱ may not marry Njoli. Very rarely an exception is permitted.

Example 14

Mpɔ́ngɔ (M) Mpinga (F) Bongonda (M)

Longanja (M) ∔ Bolanga (F) Bɔɛ́kwɛ́ (F) Imɔnɔ́ (F) Ngolɔ́ (F)

Longanja may not marry his elder cousins, but he may marry the younger ones with the exception of Bɔɛ́kwɛ́ who is bɔ́nankɛ́nɛ́ and has a "father's" rank (see above).

Similarly:

Example 15

Mpangɛ́ (M) Elɔ́lɛ (F) Ilɛ́nga (M)

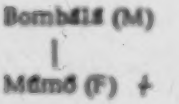
Isɛ́ka (F) ∔ Bɔɛ́lɔ́ (M) Bonina (M) Esilé (M) Isongɛ́ (M)

Only Bɔɛ́lɔ́'s younger cousins may marry Isɛ́ka. Bonina is bɔ́nankɛ́nɛ́, therefore "father," and consequently included among the uncles (see B, above).

[82] Note, finally, that the more distant the relationship, the less strict the prohibition, that is, dispensations and exceptions are more easily accepted.

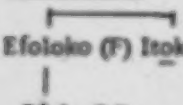
b) Marriage between ascendants [of the lineal relatives through whom affinity is established] is forbidden, but an exception is made when the affinity is broken by death.

Example 22:



Marriage between Bombélé and Nkanga is forbidden.

Example 23

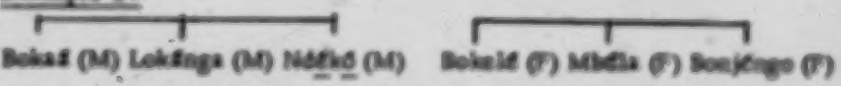


Marriage between Itoké and Kóngó is forbidden, but permitted upon the death of either Efole or Bokoké.

Dispensations and violations of this rule do occur.

C. Affinity in collateral line arising from a marriage between relatives in collateral line: The rules are the same as for direct affinity in collateral line (see above, no. 1), C.)

Example 24



Bokaé is married to Bonjéngo. Neither he nor Lokénga may marry Bokelé, and Nkéké may not marry Mbéla [Translator's note: the table shows Nkéké to be female, but I have corrected the error]. If he had married Bokelé, Nkéké could marry Mbéla. Furthermore, if Bonjéngo were Mbéla's senior, then Lokénga could also marry Mbéla. [258]

If a woman injures her husband during a quarrel he may not retaliate, for she is recognized as inferior and weaker than he. The husband's weapon is abstention from any food, drink, baths, etc., that she offers him. To re-establish peace she must pay a bofondo. Nevertheless, nowadays some impetuous men no longer like to observe these rules; they want to act with violence come what may. But they are strongly reprimanded by the old men, who maintain that it is unworthy of a man to retaliate against a weaker being. This traditional attitude of the Nkundó seems to me to indicate a sort of chivalrous nobility based on two feelings, justice and pride. It becomes more understandable when we know that similar conduct is [563] expected with regard to Batswa, inferiors, and subjugated clans (bauló, sing. julé) in their respective spheres. (1) Thus a Booto may

1. See below, Articles V, VI, and VII.
4. B.

not apply the law of retaliation to a Botswa. Under certain circumstances, a julé clan may, with impunity, take what they please from the banana groves of the master's clan, etc.

Note also that it is very much out of place for a man [282] to strike his wife or punish her in any way in the presence of her parents, [60] brothers, etc. In fact, this is a very grave offense. And, according to the code of honor, the brother (cousin, etc.) must pick up the glove and fight his brother-in-law to avenge the insult. In many cases the matter ends in a divorce. For such conduct takes away the combined feeling of modesty and embarrassment (nsónyi) that the two parties normally feel toward one another.

Finally, we must note that the various payments made as bofondo are included in the total amount of jéngi or ekpeni, respectively.

In order to more clearly illustrate the Nkundó attitude concerning the relationship of husband and wife, it might be of interest to cite a few proverbs pertaining to the subjects discussed above:

1) Bafingé bakíndaka wɛ̃ jɔ̃ maka; Lomɔ́mbé akíndaka mɔkí la nganja, "All the others slap their wives (but) Lomɔ́mbé beats (his) with a stick." (This is a reference to a historical fact.)

593 Iongo of Bokɛkyɛ (Boselo, Bombwanja), married to Bokaa is Ifonda
594 of Bowɛlɛ; for Mbalaka, daughter of Bolekela wa Imangaiso of the
592 Basɛkɛ Lokuli (Bongili), married to Mbuli is'ea Wela of Bombongo
532 w'Etefa (Bongale) (1) [286]

[551] 1. She bore the name of Mbɛlaka (meaning indemnity), because her father had solemnly proclaimed (-bɛkya) and publicly promised that he intended, one day, to place himself in the position of having to pay an indemnity because of his daughter, as proof of his love. Indeed [782] when Mbɛlaka was married, he killed one of his wives, cut her into pieces, and sent the "meat" to his son-in-law as "the first hen" that his wife would prepare for him. But he did not have to pay [602] [604] the indemnity because the victim's clan was too weak to attempt a war; they did not dare to make a claim and, in order to avoid even greater misfortunes, they resigned themselves to this revolting ignominy.

Article V

Relations Between the Husband and His Wife's Family

606 As has already been said, kinship by marriage is called likila,
607 and relatives by marriage are called bokila, bakila. Mbɔmɔlɛ is a term of respect for very close relatives by marriage (father-in-law, mother-in-law, sometimes brother-in-law or sister-in-law). When there is a considerable age difference between two affinal relatives, the elder one sometimes calls the younger bokilɛwalɛ. This happens most frequently when the son-in-law is so young that he can still be considered a child. This term can even be used by an elder brother

with reference to the young wife of his junior. (1)

1. The second component of this term is used by some Elinga as a synonym of bokilé. It should be related to walé, a term which among the Mbole and the Bakutu denotes a girl who is heliotic or a woman who has just given birth (the same is true among the Ekonda).

The present practice is to exclude from among the bokilé those persons with whom marriage is permitted. They are more frequently called "husband" or "wife."

The opposite of bokilé is bokanga. The bakanga are members of the family that has received the bride price, while the bakilé are those who have paid it. In common practice the word bokilé is often used in place of bokanga, but never the reverse. Bokilé l'okanga is the expression denoting the whole group.

1. Father-in-law and mother-in-law

A husband owes respect, love, and assistance to his parents-in-law. This point is vital to harmony in the home. In this sphere a wife is very intolerant [287] of forgetfulness and even more of ill will. Offensive comments, insults pointed at parents-in-law even in their absence result in serious difficulties. Sometimes a husband expresses his bad humor or anger against his spouse in that way. This kind of behavior never wins approval, unless his in-laws first insulted him. The law of retaliation applies fully in this situation. The Nkundó say: dowá mótongó l'ówámbe óténgaka ntí ówámbe, "He who replies to evil comments is in the right, not the one who began." For a fuller discussion of this topic, see above (Article II).

To remain on good terms with his parents-in-law, the husband must visit them from time to time. By the very nature of things, his visits are less frequent than those of his wife. One reason why they cannot be too frequent is that the husband must bring gifts at each visit (bolonga). One does not go to one's parents-in-law empty handed.

606 the act of procreation on the part of one of them. Perhaps this idea is latent in the native mind, or at least is at the basis of this rule. The fact that this hypothesis applies only to the wife's mother-in-law [mother?] does not weaken it; for in native eyes [291] the other instances are entirely without importance. (1)

1. See, for example, Chapter II, Article X, and Chapter V, Articles II and III.

606 271 Another regulation pertaining to the mother-in-law requires that she -- and all the women who are given the same title in current usage -- may appear in her son-in-law's village only when dressed in a lolimba. A lolimba is a banana leaf, either green or dried, which has been torn in several places perpendicularly to the large [765] central rib, and constitutes the first and principal sign of mourning. Moreover, Batswa women must also dress in this manner before entering a Boutf settlement. The following reason is given for the rule in the second instance: a Botswf woman's dress consists of a lolimba, a belt of small braided ropes about 10 centimeters long. Although in ordinary positions the lolimba provides fairly good protection, it is not considered adequate to really stop all indiscreet looks. And it is popularly believed that if a Boutf sees a Botswf woman's genital organs, she will die. Might we conclude from this last explanation that there is a fundamental connection between the reasons that necessitate the wearing of a lolimba in these three instances? Or is the mother-in-law to imitate a Botswf woman and thus show a certain subordination to her son-in-law?

2. Female relatives

●607 271 As long as they are free, that is, as long as no bride-price payment has been made for them, a woman's sisters or cousins are considered by her husband as his wives, and he calls them so (bafif). This term is applied only to relatives of a generation below that of the true wife or to members of the same generation who are younger than she and with whom marriage [292] is permitted. It is therefore never

extended to relatives with whom marriage prohibited, such as nieces who are bonankfnd, who are his wife's "mothers." (1)

1. See Chapter V, Article IV and the examples cited there (for instance, examples 25, 26, 17).

When such relatives of the wife marry, the situation changes. They belong to another man, and a continuation of the same practice as when they are single produces very serious cases of adultery. There are differences depending on the degree of affinity, however. In addition to the usual sanctions against adultery, other measures may be taken, especially the dissolution of the marriage. An especially serious case, but one which is more or less hypothetical, would be adultery between a man and his father-in-law's wife; a special feeling of shame is connected with it, and our Nkundó say that the two persons are like a Bonwá and his master. Misconduct with the wife of a brother-in-law (or cousin-in-law) is also a very serious matter. The latter may take his sister (or cousin) away from the guilty husband and thus break the marriage. The same applies to adultery with a syongbolá. (1)

1. See Chapter V, Article IV and the examples given there (for instance, examples 25, 26, 17).

3. Legal manner

Here we must examine the manner in which breaches of the law are settled between parents-in-law and son-in-law. It is known that among these peoples justice, in the strict sense of the word, is one of the most prominent aspects of social legislation. Theft is one of the principal causes for shame and was formerly severely punished. The thief, especially if he continued to repeat his offence, could be sold as a slave.

606 the relations between a wife and her husband's parents are closely connected with the rules pertaining to the prohibition related to affinity and seems to spring from the same source. Therefore it will be useful to have in mind what we have said in the preceding chapter, Article IV.

The husband's elder brothers treat his wife as their sister.
607 The wife calls her husband's sisters [300] bakilé, but out of respect she often gives them the title of "mother." (1)

[601]

1. Among the Elingá the wife also calls her husband's sisters bongíli (pl. bangíli); they call her mbongíli (pl. mbangíli). A wife often calls her husband's mother eyangóngíli. mbongíli i bongíli means "the brother's wives and their sisters-in-law."

587 After the husband's death, as has been said sup loco, his father or his brother may marry his widow. But this practice is not well regarded and is permitted only rarely, chiefly when the scattering of the family patrimony is feared or if the two interested parties have an unusual love for each other.

597 With respect to children or younger brothers and all those who
602 fall into that category, the situation is altogether different. Illicit relations with wives of their father, grandfather, uncle, elder brother, or elder cousin, are judged much less severely. Generally, misconduct does not give rise to claims for payment, or the payment is demanded "for form's sake" and consists of a hen and a bunch of bananas. By means of this payment the guilty one recognizes his error and renders homage to the right of his elder.

[608] In general public opinion condemns these relations and often with great severity. The question of degree of kinship as well as other considerations result in a great diversity among the cases, so we will examine each situation separately and distinguish each time between the husband's reaction and that of public opinion.

Chapter II, Article XI, 2. But such a situation is far from ideal in Nkundó eyes and is permitted only if, on the one hand, the son ardently loves the woman and, on the other, if the father is too slow in obtaining a wife for him.

Here then we observe a conflict between two feelings: a husband's jealousy and the affection of a father and various relatives. That is why it is difficult -- as in many situations -- to draw the line between what is permitted and what is forbidden. From what has preceded and from the general explanations given by natives, we can conclude, however, that: [803] 1) relations between a woman and her husband's son are forbidden and severely judged, but with much more leniency than in the case of "superior" relatives; 2) the father may not go to extremes in repressing misconduct nor ask his own son to pay an indemnity, since to do so would be to enrich himself through his child's misbehaviour, and the latter would have no means of paying him except through him or his mother's clan -- and it would be very unjust and inappropriate to force him to have recourse to the latter.

3. A younger brother calls his elder brother's wife wáli, or wife, and she calls him lómé, or husband, because they may marry one another. Therefore adulterous relations may also be found among them. But in practice some distinctions must be made.

If the younger brother is not married and the elder one has a harem, -- a state of affairs which was very common in the past but today is very rare -- the situation is analogous to the one described above in relation to a father's wife except that there is greater indulgence toward the culprit.

If the elder brother is monogamous and the younger brother a bachelor, relations of the latter with the former's wife when the husband is present are forbidden. If the younger brother nevertheless yields to the temptation, he is condemnable. The husband may not claim an indemnity. But in revenge he may procure for himself a "make-believe indemnity" (nyongo ea bolíkondo) by felling one of the culprit's banana trees, taking away his chickens, moving his hut, taking some other similar action. The purpose of these acts, according

to our people, is to inspire the young man with a little more respect for his elder. The latter may not go to extremes, however, (as for example by fighting his younger brother), for fear of being censured for a lack of brotherly love. (1) Besides, the valuables with which he

> 1. A slight brotherly punishment is not taken seriously, particularly if the younger brother is considerably his junior; it is permitted, especially where the younger brother has erred repeatedly.

obtained his wife [304] belong in one sense to both brothers. If the two brothers have different mothers, the elder has many more trumps in his hand. And if in addition his mother's clan has provided the entire bride price or a major part of it, he would win his case entirely as regards the indemnity, although the duty of brotherly love, and therefore of leniency, would still remain. In the case of isolated misdeeds there must always be this leniency. But if the misconduct is frequently repeated, the culprit's excuses no longer carry much weight.

If the younger brother, too, is married, the matter takes on a totally different aspect. Since he has a wife of his own, he no longer has any excuse for satisfying his passions by adulterous means. It is true that the injured husband is still obliged to moderate his anger and its manifestations, but he can obtain more financial satisfaction. The indemnity he claims, however, must be added to the guilty wife's bride price; for it is inconceivable that he enrich himself at his brother's expense. If he himself obtained his brother's wife for him, he may take her away and give her to another brother, cousin, etc., or even take her for himself, in spite of the impediment of affinity. However this is an exceptional case and only applied if the misconduct has been serious and repeated and the culprit has taken an insolent attitude.

If the husband is not present, because he is on a trip or the younger brother has met his sister-in-law while she is staying with her family or traveling elsewhere, the younger brother is entirely free

to have relations with her. If the woman refuses to have relations with her brother-in-law, the latter often reports her ill will to her husband, who will reprimand her or even strike her because she does not love his own brother, and will accuse her of having lovers: ótóna bɔ́-ɔ́ ngɔ́ya, dianganá ɛ́ɛ́ wɔnd'ɔnkinɛ́. Since there is more affection between brothers born of the same mother, the husband's anger would then be even greater. A lack of affection on the part of his wife arouses her husband's suspicions on the question of her fidelity because Nkundó women are extremely ready to yield to temptation, [305] Therefore if she refuses her own brother-in-law-husband, she must be obtaining satisfaction elsewhere. This reasoning may be false, but it is based on a frequency of cases. The husband's attitude does not show a lack of jealousy; on the contrary, it proves its existence.

If the younger brother meets his sister-in-law in the home of her family, they will intervene on his behalf. They will tell her to receive "her husband" well, to prepare food for him, to clean the hut set aside for him. They will even force her to cohabit with him for the entire duration of his stay in their village. By this means they seek to avoid palavers with their son-in-law. If the woman's antipathy toward her brother-in-law is so great that she cannot be made to submit to him, they sometimes give their visitor another of their daughters (or cousins, etc.), younger than his brother's wife, to perform wifely duties for him.

All those designated as bɛkɛ́nɛ́ in Nkundó terminology fall into the same category as a younger brother (thus younger male cousins are also included). The seriousness of the conflict that may arise on this question and of its consequences vary in proportion to the degree of kinship between the individuals involved.

C. The position of a nephew (bɔ́nankɛ́nɛ́) in relation to his maternal uncle's wives is to a great extent comparable to that of a son in relation to his father's wives. The fact that marriage is effected through the payment of a bride price gives the nephew greater freedom; for the uncle was enriched through the marriage of his

586[x] 584 [567] on his own authority, for the offense was considered very serious. We can assume that the reason for this rule was to allow time for the woman's family to intervene and keep their daughter from becoming a slave by refunding the bride price paid for her.

c) In exceptional instances an exasperated husband resorted to the immolation of his wife when someone died. People cite the case of Bengóngó of Bongilá (Besombó, Bombwanja), who had his wife, Litíli of Bontole, decapitated at the ikwef at the death of his father, Bengóngó by'á Yese.

If the woman had children old enough to intervene on her behalf, her husband could be prevented from carrying out his violent intentions. The proverb says, Mbóni máwíká, "a mother [599] does not perish." The husband also abstained if the woman had [595] a co-wife (ebísa) who was her sister or other close relative -- either out of a feeling of shame, [385] or out of fear of undesirable repercussions. Sometimes, when a husband was caught between his wish to use the etíka and his shame or his fear of the ebísa, he hid the wife who was confined by this fork. Preferably, he asked a brother-[607] in-law to give her hospitality. In that way he got around the difficulty to a great extent, because through the law of exogamy such an arrangement placed the wife in another village, sometimes a considerable distance away. This practice was called isángyá; tómba walí isángyá.

586[x] 584 Instead of resorting to the procedures listed, a husband could also place his wife in the hands of the ndonga. However, it was a very unusual thing to do. The natives maintain that such action was due to a lack of affection for the wife, together with the husband's certainty that he could recover his valuables -- either because he was assured that his father-in-law was well disposed toward him (and would reimburse him or provide a replacement), or because he knew he could use the ikíkelo.

As we have said, direct repudiation was extremely rare. Here we are not speaking of repudiation caused by a wife's incorrigible misconduct -- which we have just discussed -- but of repudiation against the wife's wishes. If it did occur the husband was expected to hand her over to the ndonga, and the latter, seeing

In every case at least a few bofongo in addition to the bombémbé and the bosú w'ilaké are always claimed. The latter payments can never be omitted. The belt is a payment made exclusively to the mother and by rights it goes to the mother's clan.

The higher the amount of these funeral payments, the more the son-in-law is welcome. The alliance is perfect. Therefore, not only will the wife's family reciprocate his fine feelings by adding a few more dogs, but in addition the son-in-law will be well received and successful in his application when, after the period of mourning, he brings the sum of the ibólɛ́ko in order to obtain a substitute for the deceased. (2) In addition, if the relations with

2. See Chapter III, Article IV.

his in-laws have been excellent, he will easily obtain the substitute in advance, so that she can care for him during the entire mourning period.

There are severe sanctions against the omission of the funeral payments. [439] Neglecting to send the notification gift alone is enough to set these in motion. They are: the breaking off of the affinal relationship; the loss of the children, since the father's offense is equal to a repudiation; and finally molestation of the culprit by the spirit of the deceased. Thus at Bokótola (Bompela) one can find two boys, Botétsí and Ikembá, the children of Bonyongela of Ilóngá and Etúka of Bokótola. They have now been incorporated into their mother's clan, because their father did not send a nsango. On stronger grounds the same is true for the whole nkunjí.

Article V. The Social Position of a Widow

In Chapter III, Articles II and IV, we have already noted that in the eyes of the Nkundó, the death of the husband does not dissolve a marriage. The union continues, and even after mourning it is not broken ipso facto. Even to have the woman taken and treated as a wife by another man is not enough to end it. As